

## UNITED STATES DISTRICT COURT

for the

Western District of Virginia

APR 22 2015

JULIA C. RUDLEY, CLERK  
BY:  DEPUTY CLERKUnited States of America  
v.  
JARED JAMILE FITZGERALD

Case No: 4:10CR00006-001

USM No: 14532-084

Date of Previous Judgment: 02/25/2011

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 169 months is reduced to 148 months\*.

## I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 31

Amended Offense Level: 29

Criminal History Category: I

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Previous Guideline Range: 108 to 135 months

Amended Guideline Range: 87 to 108 months

## II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.  
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.  
☐ Other (explain):

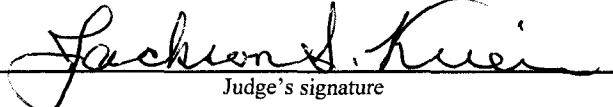
## III. ADDITIONAL COMMENTS

\*Defendant is sentenced to 148 months, but not less than time served. Defendant's sentence consists of: 87 months on Counts 1, 3, and 5, to run concurrently; 1 month on Count 6, to be served consecutively to all other counts; and 60 months on Count 4, to be served consecutively to all other counts. Defendant's Motion to Appoint Counsel [ECF No. 126] is DENIED.

Except as provided above, all provisions of the judgment dated 02/25/2011 shall remain in effect.

IT IS SO ORDERED.

Order Date: 4/22/2015

  
 Judge's signature

 Effective Date: 11/01/2015  
 (if different from order date)

 Hon. Jackson L. Kiser, Senior U.S. District Judge  
 Printed name and title